

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <b>MICHAEL H. CROSBY</b> <b>MICHAEL H. CROSBY - SBN # 125778</b> <b>2366 FRONT STREET</b> <b>SAN DIEGO, CA 92101</b>  TELEPHONE NO. (619) 696-7330 FAX NO. (Optional) (619) 239-5872 EMAIL ADDRESS (Optional): ATTORNEY FOR (Name): <b>JACOB CALANNO</b>		FOR COURT USE ONLY  <b>FILED</b>  <b>08 JAN 24 PM 2:23</b>  CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA  DEPUTY
COURT NAME: <b>UNITED STATES DISTRICT COURT</b> STREET ADDRESS: <b>940 FRONT ST RM 1160</b> MAILING ADDRESS: <b>940 FRONT ST RM 1160</b> CITY AND ZIP CODE: <b>SAN DIEGO, CA 92101-8900</b> BRANCH NAME:		
PLAINTIFF/PETITIONER: <b>JACOB CALANNO</b> DEFENDANT/RESPONDENT: <b>TERRA VAC CORPORATION, ET AL</b>		CASE NUMBER: <b>07CV2052BTMPOR</b>
<b>PROOF OF SERVICE SUMMONS</b>		Ref No. or File No. <b>OS349677-01</b>

(Separate proof of service is required for each party served)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of
  - a. ☒ summons
  - b. ☒ complaint
  - c. ☐ Alternative Dispute Resolution (ADR) package
  - d. ☒ Civil Case Cover Sheet (served in complex cases only)
  - e. ☐ cross-complaint
  - f. ☐ other (specify documents):
3. a. Party served (specify name of party as shown on documents served):  
TERRA VAC CORPORATION, A CALIFORNIA CORPORATION
- b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):  
JAMES J. MALOT, AGENT FOR SERVICE  
Age: 55; Sex: M; Hair: BRN; Eyes: BRN; Height: 5'10; Weight: 160; Race: CAUC; Marks:
4. Address where the party was served: 316 AVOCET AVENUE  
DAVIS, CA 95616
5. I served the party (check proper box)
  - a. ☒ by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): December 10, 2007 (2) at (time): 07:10 am
  - b. ☐ by substituted service: On (date): at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3b):
    - (1) ☐ (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
    - (2) ☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
    - (3) ☐ (physical address is unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
    - (4) ☐ I thereafter mailed (by first-class; postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): from (city): or ☐ a declaration of mailing is attached.
    - (5) ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.

ORIGINAL

PLAINTIFF/PETITIONER: JACOB CALANNO

CASE NUMBER:

DEFENDANT/RESPONDENT: TERRA VAC CORPORATION, ET AL

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- c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4; by first-class mail, postage prepaid.
- (1) on (date): (2) from (city):
- (3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* (form 982(a)(4)) and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt* (form 982(a)(4)).) (Code Civ. Proc., § 415.30.)
- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. ☐ by other means (specify means of service and authorizing code section):

☐ Additional page describing service is attached.

## 6. The Notice to the Person Served (on the summons) was completed as follows:

- a. ☐ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (specify):
- c. ☐ as occupant.
- d. ☐ On behalf of (specify):

under the following Code of Civil Procedure section:

- |   |   |
|---|---|
| <input type="checkbox"/> 416.10 (corporation)                     | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation)             | <input type="checkbox"/> 416.60 (minor)                               |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee)                 |
| <input type="checkbox"/> 416.40 (association or partnership)      | <input type="checkbox"/> 416.90 (authorized person)                   |
| <input type="checkbox"/> 416.50 (public entity)                   | <input type="checkbox"/> 415.46 (occupant)                            |
|   | <input type="checkbox"/> other:                                       |

## 7. Person who served papers

- a. Name: EUGENE D. HOWARD
- b. Address: 1424 21st. Street, Sacramento, CA 95814
- c. Telephone number: (916) 441-4396
- d. The fee for service was: \$ 67.12
- e. I am:
- (1) ☐ not a registered California process server.
- (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
- (3) ☒ registered California process server:
- (i) ☐ Owner ☐ employee ☒ independent contractor.
- (ii) Registration No.: 2006-19
- (iii) County: YOLO

8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

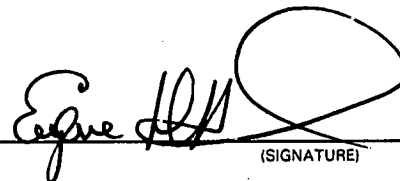
OR

9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: January 15, 2008

EUGENE D. HOWARD

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHALL)



(SIGNATURE)